

City Council
Atlanta, Georgia

08-O-0097

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-07-121
Date Filed: 12-11-07

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **880 Glenwood Avenue, S.E., and 435 Bill Kennedy Way, S.E.**, be changed from I-2 (Heavy Industrial)/Beltline Overlay and PD-MU (Planned Development-Mixed Use)/Beltline Overlay Districts to the MRC-3-C (Mixed Residential Commercial-Conditional)/Beltline Overlay Districts, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 12, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

CONDITIONS FOR Z-07-121 880 Glenwood Avenue and 435 Bill Kennedy Way, S.E.

- 1) Site Plan: A site plan similar to the plan prepared by Poole & Poole Architecture dated June 26, 2008 and stamped "received" by the Bureau of Planning on June 30, 2008 (the "Site Plan"). This site plan is conceptual and is not intended to prohibit application of the MRC-3 or Beltline Overlay District regulations.
- 2) NPU W review: Any application for a Special Administrative Permit or administrative variation to the zoning regulations or any application for a variance or special exception shall be submitted to the Zoning Contact for NPU-W five days before the date said application is submitted to the City of Atlanta Bureau of Planning.
- 3) Non-residential Floor Area Ratio (FAR): shall not exceed 0.15.
- 4) Right of Way Easement: A 34 foot wide right of way easement in favor of the City shall extend from the western property line at its northern end to the intersection of Faith Drive at Bill Kennedy Way. The exact location of the easement may be determined as a condition of the issuance of the Special Administrative Permit and may include the area of the proposed private drive which connects to Bill Kennedy.. Such easement shall be by deed which shall be filed prior to issuance of the certificate of occupancy. The deed granting the easement may specify that such easement may only be used as a public right of way when it is possible to open a connection to Chester Ave.
- 5) Driveway at Faith Avenue Extension: The proposed private drive from Faith Drive onto the property shall be built to the standard of a City street and shall be at least 20 feet wide from curb to curb and on its southern edge shall have a sidewalk which matches those along Faith Drive east of Bill Kennedy Way. The final configuration of the sidewalk and the driveway shall be determined as a condition of the issuance of the Special Administrative Permit.
- 6) Topography Remediation: During the processing of the Special Administrative Permit, the City and the applicant shall develop a plan to reduce the grade differential between the City's easement area at the western property line to facilitate future connection with Chester Ave.
- 7) On-street parking along Glenwood Avenue: subject to SAP approval, the curb line along Glenwood Avenue may be modified to accommodate the installation of on-street parking.
- 8) Building Façade Materials and Treatments:
 - a. All exterior building facades excluding interior courtyards shall be composed of a minimum of 35% masonry. For the purpose of these conditions, "masonry" is defined as "mineral-based building materials such as terracotta, mortar, stone, and brick."
 - b. The following materials shall be prohibited on all building facades: exposed pressure-treated wood; vinyl siding; vinyl railing; white, cream, or off-white solid vinyl windows; and exterior insulation finished systems (EIFS). Solid vinyl windows in other colors are permitted. Cementitious siding and panels are permitted.
 - c. Foundations shall be faced in masonry. Foundations may be faced in three-coat or two-coat hard coat stucco if carried from the façade directly above. For the purpose of this Condition, "foundation" is defined as the surface area of the building facade below the lowest finished floor level.

- d. Exterior columns shall have a minimum width of 5 'h inches.
- e. No exterior stairs shall be constructed of wood.
- f. Stoops shall be a minimum of four feet wide.
- g. Steps that serve porches and stoops shall have closed risers and ends.

9) Balconies:

- a. 50% of all balconies facing Glenwood Avenue, Bill Kennedy Way, and the west and north property lines shall have a minimum depth of three feet.
- b. Railings shall consist of painted wood, ornamental metal or glass.

10) Residential Windows:

- a. Fenestration shall consist of windows in a minimum of 25% and a maximum of 60% of the facade surface area on the building facades that front on Glenwood Avenue, Bill Kennedy Way, and the west and north property lines.
- b. 50% of the residential window units shall be operable.
- c. All windows shall include windowpanes that are recessed a minimum of two inches from the facade in which they are installed.
- d. Paired windows that are grouped together shall have center mullions that are two inches wider than the side trim.
- e. Flat, "snap-in" muntins, and muntins that are sandwiched between layers of glass are prohibited.

11) Building height: The building height shall be limited to 72 feet.

12) Roofs:

- a. Shall have parapet walls screening the roof from view from the adjacent streets and west and north property lines; and shall have non-mansard roofs behind the parapet wall with a pitch not exceeding a slope of 3:12; or
- b. Shall have mansard roofs with a vertical pitch of 12:1 or steeper. Metal cladding, architectural shingles or other historically appropriate cladding materials shall be permitted as finish surfaces for such mansards.
- c. A combination of parapet walls and mansard roofs as indicated above shall be permitted

13) Residential lobbies: the development shall provide two street-facing building lobby entrances for residents to access the upper levels of the building. One shall be located on Glenwood Avenue and the other along Bill Kennedy Way.

14) Awnings and Canopies:

- a. All awnings and canopies shall be made of cloth, canvas or metal. The shape of the upper surface of any awnings shall match the shape of the opening in front of which they would be attached.
- b. Internally lit awnings and canopies are prohibited. Any illumination that is provided in conjunction with the awning or canopy shall be directed downwards, not upwards towards the underside of the awning or canopy.

15) Parking structures: The height of any parking structure shall not exceed the height of the

immediately adjoining building.

- 16) Dumpsters and loading areas: shall be screened so as not to be visible from any adjacent public or private street that is located at the same elevation as the dumpster or loading area.
- 17) Mechanical equipment: Building mechanical equipment shall be located in the garage, on the roof, or in interior courtyards.
- 18) Floor to ceiling height: The first floor of all designated street-level live/work units shall have a minimum stud height of 12 feet nominal measured floor to ceiling.
- 19) Greenbuilding: The development will attain either a LEED certification from the U. S. Green Building Council or an EarthCraft House Multifamily Program certification from Southface Energy Institute. Evidence of such certification shall be submitted to the Bureau of Planning prior to issuance of the Certificate of Occupancy.
- 20) Prior to issuance of a final certificate in occupancy for the development, the developer shall install or cause to be installed a traffic signal at the intersection of Faith Avenue and Bill Kennedy Way. Said signal constitutes a transportation system improvement for which the developer is entitled to credit against transportation impact fees owed for the development.

RCS# 2498
10/20/08
2:55 PM

Atlanta City Council

REGULAR SESSION

08-O-0097 REZONE FR.I-2 TO MRC-3-C 880 GLENWOOD
 AVE.
 ADOPT AS AMEND

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

08-O-0097

RCS# 2497
10/20/08
2:54 PM

Atlanta City Council

REGULAR SESSION

08-O-0097

REZONE FR.I-2 TO MRC-3-C 880 GLENWOOD
AVE.
AMEND2/ARCHIBON

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

08-O-0097

RCS# 2496
10/20/08
2:52 PM

Atlanta City Council

REGULAR SESSION

08-O-0097 REZONE FR.I-2 TO MRC-3-C 880 GLENWOOD
AVE.
AMEND1/SMITH1

YEAS:	12
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	2
EXCUSED:	1
ABSENT	1

Y Smith	Y Archibong	E Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	NV Muller	Y Sheperd	NV Borders

08-0-0097

08-0-0097

(Do Not Write Above This Line)

AN ORDINANCE Z-07-121
BY: ZONING COMMITTEE

An Ordinance to rezone from the I-2 (Heavy Industrial) District to the MRC-3 (Mixed Residential Commercial) District, property located at 880 Glenwood Avenue, S.E., fronting approximately 202 feet on the north side of Glenwood Avenue and at the intersection of Glenwood Avenue and Chester Avenue. Depth: 820 feet. Area: approximately 4.2 acres. Land Lot 12, 14th District, Fulton County, Georgia.

OWNER: THE TRUST FOR

PUBLIC LAND, INC.

APPLICANT: CAPITAL 33, LLC BY
SHARON A. GAY

NPU-W

COUNCIL DISTRICT ADOPTED BY

OCT 2 0 2008

AS AMENDED

COUNCIL

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 11/22/08

Referred To: Zoning

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee Zoning
Date 10/16/2008
Chair
Referred To

Committee Zoning
Date 10/16/2008
Chair
Action
Fav, Adv, Hold (see rev. side)
Other
Members
Refer To

Committee
Date
Chair
Action
Fav, Adv, Hold (see rev. side)
Other
Members
Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ V Vote ☒ RC Vote

Consent

CERTIFIED

CERTIFIED
OCT 20 2008
ATLANTA CITY PRESIDENT

CERTIFIED
OCT 20 2008
Municipal Clerk

MAYOR'S ACTION